

REMARKS

This Amendment is submitted preliminary to the issuance of an Office Action in the present application and in response to the Official Action of March 21, 2011 and the Examiner's Advisory Action dated June 10, 2011.

In light of the final rejection of claims 27-48 and 50- 52 that are currently pending, applicant submits amended claims 27, 29-38 and 39. Claim 28 has been cancelled. New claims 52 and 53 have been added.

Claims 29-38 have been amended to make them dependent on claim 27. With respect to claim 39, the amendment tracks the amendment to claim 27.

In amended claim 27, the alternative options have been eliminated to make the claims clearer. Claims 27 now sets forth that the camera does streaming and that thus presents a number of images to the user that are optimized for selection by the user. Support of the amendment is found in paragraph [0050] *et seq.*

As now set forth in the amended claim, one or more portraits are recorded by the camera from a series of streaming images. The camera presents optimized images to the user for selection. New claims 52 and 53 set forth that the motif from which the user can chose and that is stored in the system is either supplied by the kiosk or it is supplied by the user (see claim 52 and 53).

First, with respect to claim 27, applicant submits that a specific order of steps in a method claim is a patentable feature. As such, picking and choosing any function from various references and supplying them to a main reference lacking these features is a hindsight approach.

Applicant contends that none of the Morgan, Manross, Nihei and Jones references as cited by the Examiner sets forth the functions in claim 27 in the order as claimed and the steps to be taken by the user to obtain the product.

The Examiner cites Morgan and Manross to show that it is possible for Morgan to have a language selection and cites col. 2, lines 43-54. However, when reading the next lines, it is clear why the language selection is made, namely the user has to pay NOW. So the Manross reference is no better than Morgan reference where payment is required up front without having had the benefit of seeing what you are purchasing. Applicant submits that the picking and choosing of functions to be inserted into the Morgan method is tinged by the hindsight approach, since the function in Manross has a specific meaning in the order in which it is to be used.

With respect to the Morgan Nihei combination, the Examiner argues that payment has to be made "only" if a further drive is to be activated. However, if no payment is made in Nihei, no product is being produced. Thus, in order for the user to obtain the product, a further drive has to be activated. Again, here as set forth above, the Examiner takes the steps out of order.

Furthermore, neither Morgan nor Nihei teach a camera which presents optimized images to the user for selection of a portrait of the user to be inserted in the motif previously selected.

Clearly Morgan does not do individual cards or such but advertisement material of the kind as shown, namely, deck of cards, business cards or such. While Morgan tries to be universally applicable, it is clear that to print a deck of

cards very few variables can be used to add a picture do that. The substrates are the card blanks or the business card blanks. Also, Morgan does not show that a motif has been provided by the user.

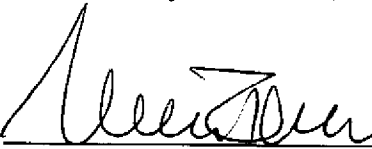
With respect to claim 39, applicant submits that the camera that presents optimized images are not disclosed in any of the references. It is thus believed that this claim likewise distinguished over the prior art.

In view of the above, each of the presently pending claims in this application is considered patentably differentiated over the prior art of record and believed to be in conditions for allowance. Reconsideration and allowance of the present application are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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